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## DECLARATION

As the below named inventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names.

We believe that we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled

### **Method and Device for Treating Scoliosis**

the specification of which was filed February 15, 2002 as Serial Number 10/075,373.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 and in particular information which has occurred between the filing date of our earlier application and the filing date of this application.

We hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

#### **Prior U.S. Application**

60/268,860  
(Number)

US  
(Country)

February/16/2001  
(Month/Day/Year Filed)

Priority  
Claimed  
[ X ] [ ]  
Yes No

\_\_\_\_\_  
(Number)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Month/Day/Year Filed)

Priority  
Claimed  
[ X ] [ ]  
Yes No


**POWER OF ATTORNEY**

We hereby appoint Stephen J. Scribner (Reg. No. 44,452) and Carol Miernicki Steeg (Reg. No. 39,539), care of PARTEQ Innovations, Room 1625, Biosciences Complex, Queen's University, Kingston, Ontario K7L 3N6, Canada as our attorney or agent to prosecute this application, to make alterations and amendments therein, to receive the patent and all correspondence relating to this application, and to transact all business in the United States Patent and Trademark Office connected therewith, and the said attorney or agent is hereby given full power of substitution and revocation.

Please address all correspondence concerning this application to Stephen J. Scribner, Parteq Innovations, Room 1625, Biosciences Complex, Queen's University, Kingston, Ontario K7L 3N6, Canada.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor: SOBOLESKI, Donald A.

  
First Inventor's Signature

April 26/02                      CA  
Dated                                      Citizenship

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